Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

LISTING OF CLAIMS

1. – 19 Cancelled

20. *(currently amended):* A kit useful for determining a genotype of a subject or subjects at a polymorphic site of Plasminogen Activator Inhibitor-1 PAI-1 ~~at nucleotide position 12580 of SEQ ID NO:1 or a site in linkage disequilibrium therewith , which genotype is prognostic of the subject's ability to recover from an inflammatory condition~~, the kit comprising, in a package:

(a) a restriction enzyme with specificity that distinguishes alternate nucleotides at one or more of the following nucleotide positions 12580, 5645, 7121, 7437, 8070, 8406, 9463, 9466, 12219, 13889, and 14440 of SEQ ID NO:1 ~~the polymorphic site or sites~~; or

(b) an oligonucleotide having sufficient complementarity to a sequence that is contiguous with or near the polymorphic site or sites such that the oligonucleotide hybridizes in a distinguishable manner to a sequence that comprises alternate nucleotides at one or more of the following nucleotide positions 12580, 5645, 7121, 7437, 8070, 8406, 9463, 9466, 12219, 13889, and 14440 of SEQ ID NO:1 ~~or nucleotides at the polymorphic site or sites~~

wherein determination of said genotype results in prognosis of the subject's ability to recover from an inflammatory condition.

21. to 22. canceled

23. *(previously presented):* The kit of claim 20 comprising said restriction enzyme of (a) and an oligonucleotide primer or a set of oligonucleotide primers suitable to amplify a region flanking the polymorphic site.

24. *(previously presented):* The kit of claim 23, further comprising a polymerization agent that promotes or permits nucleotide polymerization.

25. *(currently amended):* The kit of claim 20 , further comprising instructions for ~~using the kit~~ predicting the subject's ability to recover from said inflammatory condition~~to determine the genotype of said subject~~.

26, to 28. Cancelled

29. *(currently amended):* The kit of claim 25, wherein the instructions instruct on use of the kit to ~~determine the genotype of~~ predict said subject's ability to recover from ~~in whom the inflammatory condition is~~ SIRS, sepsis, septicemia, severe sepsis or septic shock.

30. *(previously presented):* The kit of claim 20, comprising the oligonucleotide of (b).

31. *(previously presented):* The kit of claim 30, wherein the sequence of the oligonucleotide of (b) is selected from the group consisting of SEQ ID NO:2, SEQ ID NO:3, SEQ ID NO:4, SEQ ID NO:5, SEQ ID NO:6, SEQ ID NO:7, SEQ ID NO:8, SEQ ID NO:9, SEQ ID NO:10, SEQ ID NO:11.

32. *(previously presented):* The kit of claim 30, further comprising one or more reagents for use in one or more of the following techniques for determining the genotype:

(a) restriction fragment length analysis;
(b) sequencing;
(c) hybridization;
(d) oligonucleotide ligation assay;
(e) ligation rolling circle amplification
(f) 5' nuclease assay
(g) polymerase proofreading; and
(h) allele specific PCR.

33. *(currently amended):* The kit of claim 32[[30]], wherein the technique comprises hybridization.

34. *(currently amended):* The kit of claim 32[[30]], wherein the technique comprises polymerase proofreading.

35. *(currently amended):* The kit of claim 32[[30]], wherein the determining comprises sequencing.

36. *(currently amended):* A kit useful for determining a genotype of a subject or subjects at one or more of the following nucleotide positions [[12580]] of SEQ ID NO:1; 12580, 5645, 7121, 7437, 8070, 8406, 9463, 9466, 12219, 13889, and 14440, ~~or a site in linkage disequilibrium therewith, comprising~~ which kit comprises one or more oligonucleotides suitable for identifying one or more of the following genotypes ~~at position 12580~~: 12580GG; 12580GT; 12580TT, 5645CC, 5645CT, 5645TT, 7121GG, 7121GA, 7121AA, 7437TT, 7437TC, 7437CC, 8070AA, 8070AG, 8070GG, 8406CC, 8406CT, 8406TT, 9463GG, 9463GA, 9463AA, 9466TT, 9466TC, 9466CC, 12219CC, 12219CT, 12219TT, 13889CC, 13889CT, 13889TT, 14440AA, 14440AG, and 14440GG,

wherein [[which]] the subject's genotype is associated with a prognosis for the subject's ability to recover from an inflammatory condition.

37. *(previously presented):* The kit of claim 36, further comprising one or more reagents for use in one or more of the following techniques for determining the genotype:

(a) restriction fragment length analysis;
(b) sequencing;
(c) hybridization;
(d) oligonucleotide ligation assay;
(e) ligation rolling circle amplification;
(f) 5' nuclease assay
(g) a polymerase proofreading method; and
(h) allele specific PCR.

38. *(previously presented):* The kit of claim 37, wherein the technique comprises hybridization.

39. *(previously presented):* The kit of claim 37, wherein the technique comprises a polymerase proofreading method.

40. *(previously presented):* The kit of claim 37, wherein the technique comprises sequencing.

41. *(previously presented):* The kit of claim 36, wherein the inflammatory condition is SIRS, sepsis, septicemia, severe sepsis or septic shock.

42. *(previously presented):* The kit of claim 36, further comprising instructions for identifying the 12580 G allele as indicative of (i) a decreased likelihood of recovery from an inflammatory condition, or (ii) severe cardiovascular or respiratory dysfunction in a critically ill patient.

43. *(previously presented):* The kit of claim 36, further comprising instructions for identifying the 12580 T allele as indicative of (i) an increased likelihood of recovery from an inflammatory condition or (ii) less severe cardiovascular or respiratory dysfunction in a critically ill patient.

44. *(previously presented):* The kit of claim 36, wherein the one or more oligonucleotides is selected from the group consisting of: SEQ ID NO:2; SEQ ID NO:3; SEQ ID NO:4; SEQ ID NO:5; SEQ ID NO:6; SEQ ID NO:7; SEQ ID NO:8; SEQ ID NO:9; SEQ ID NO:10; and SEQ ID NO:11.

45. *(currently amended):* The kit of claim 36[29]], further comprising instructions for identifying allele 12580G and/or one or more of the following alleles in linkage disequilibrium therewith: 5645T; 7121G; 7437T; 8070A; 8406C; 9463G; 9466T; 12219C; 13889C; and 14440A, as indicative of: (i) decreased likelihood of recovery from an inflammatory condition; or (ii) severe cardiovascular or respiratory dysfunction in a critically ill patient.

46. *(currently amended):* The kit of claim 36[[29]], further comprising instructions for identifying allele 12580T and/or one or more of the following alleles in linkage disequilibrium therewith: 5645C; 7121A; 7437C; 8070G; 8406T; 9463A; 9466C; 12219T; 13889T; and 14440G as indicative of:

(i) increased likelihood of recovery from an inflammatory condition; or

(ii) less severe cardiovascular or respiratory dysfunction in a critically ill patient,

when compared to severity in a patient with one or more of alleles 12580G ,5645T; 7121G; 7437T; 8070A; 8406C; 9463G; 9466 T; 12219C; 13889C; and 14440A.